

12 CV 03902

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

--against--

No. S1 08 CR 351-05 (GEL)

LUIS OSCAR REYES-DILONE,
a/k/a: Eliud Lopez-Rivera,
(True Name)

Hon. Gerard E. Lynch
U.S. District Judge

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MOTION FOR THE RETURN OF PERSONAL PROPERTY
PURSUANT TO FED. R. CRIM. P. 41(g)

NOW COMES, Luis Oscar Reyes-Dilone (a/k/a: (True Name) Eliud Lopez-Rivera ("Defendant"), pro se, and pursuant to the Federal Rules of Criminal Procedure 41(g), respectfully moves this Honorable Court to enter an order for the return of certain items of personal property seized from the defendant's person and home.

As grounds for this motion, the defendant respectfully shows this Honorable Court, that:

1. On April 25, 2008, defendant was arrested by federal authorities on an outstanding federal warrant. Subsequent to the defendant's arrest, federal authorities took from the defendant's person, certain items of personal property as well as United States Currency in the amount of \$2,200. Agents also executed search warrants on the defendant's residences and seized certain items of personal property which were legally owned by the defendant.

2. The defendant seeks the return of said items as the items were not tied to or linked in any way to criminal conduct, nor has the Government stated such. Moreover, the defendant submits that he has not relinquished any claims or legal rights to said property.

3. The Government is in possession of said items and has refused to release defendant's personal property. Defendant has unsuccessfully tried, through ancillary persons, to retrieve said items. The Government has no valid reason for the retention thereof.

WHEREFORE, the Defendant prays that this Honorable Court enter an order compelling the government to release the defendant's personal property forthwith, or to show cause for the further retention thereof.

Respectfully submitted,

Eliud Lopez Rivera.

Luis Oscar Reyes-Dilone,
(Eliud Lopez-Rivera (True Name))
Pro Se, 70484-054
Federal Correctional Institution
P.O. Box 1000
Loretto, PA 15940



Luis Oscar Reyes-Dilone
(Real Name: Eliud Lopez-Rivera)
Federal Register No. 70484-054
Federal Correctional Institution
P.O. Box 1000
Loretto, Pennsylvania
15940

May 10, 2012

Clerk of Court - Criminal Business
United States District Court
500 Pearl Street
New York, NY 10007-1312

RE: United States v. Reyes-Dilone
No. SI 08 CR 351-05 (GEL)

Dear Clerk:

Please find enclosed for filing the following:

Motion for the Return of Personal Property.

Kindly mark the enclosed up for a hearing at the Court's
earliest convenience and apprise me of the status of the
same.

Thank you in advance for your time.

Sincerely,

Eliud Lopez Rivera

Luis Oscar Reyes-Dilone
(True Name: Eliud Lopez-Rivera)

encls.